

Application No. 09/944,049
Amendment dated July 2, 2003
Reply to Office Action of March 17, 2003

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-71. (Withdrawn)

72-110. (Canceled)

stab ED
C 1
~~111.~~ (New) A composition comprising (a) a replication competent attenuated cytomegalovirus (CMV) that can generate an immune response in a mammal, and (b) a pharmaceutically acceptable carrier, wherein the CMV is attenuated through inhibition of expression or activity of US28 and/or a US28 homolog.

E E
~~112.~~ (New) The composition of claim 111, wherein the carrier is an adjuvant.

2 3
~~113.~~ (New) The composition of claim 111, wherein the mammal is a human or rhesus monkey and the CMV is human cytomegalovirus (HCMV) or rhesus cytomegalovirus (rhCMV), respectively.

3 4
~~114.~~ (New) The composition of claim 113, wherein the mammal is a human and the CMV is HCMV.

4 3
~~115.~~ (New) The composition of claim 114, wherein at least a segment of the HCMV genome encoding US27, US28, UL33 and/or UL78 has been inactivated.

5 4
~~116.~~ (New) The composition of claim 115, wherein the segment comprises the entire US 27, US28, UL33 and/or UL78 encoding region and the encoding region has been deleted.

6 1
~~117.~~ (New) The composition of claim 115, wherein at least a segment of the HCMV genome encoding US27 has been inactivated.

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~~78~~ 76
118. (New) The composition of claim ~~117~~, wherein the segment comprises the entire US27 encoding region and the encoding region has been deleted.

C1
~~89~~ 54
119. (New) The composition of claim ~~115~~, wherein at least a segment of the HCMV genome encoding US28 has been inactivated.

~~cont'd~~ 98
120. (New) The composition of claim ~~119~~, wherein the segment comprises the entire US28 encoding region and the encoding region has been deleted.

~~10~~ 54
121. (New) The composition of claim ~~115~~, wherein at least a segment of the HCMV genome encoding human UL33 has been inactivated.

~~11~~ 10
122. (New) The composition of claim ~~121~~, wherein the segment comprises the entire UL33 encoding region and the encoding region has been deleted.

~~12~~ 54
123. (New) The composition of claim ~~115~~, wherein at least a segment of the HCMV genome encoding human UL78 has been inactivated.

~~13~~ 14 1312
124. (New) The composition of claim ~~123~~, wherein the segment comprises the entire UL78 encoding region and the encoding region has been deleted.

~~14~~ 32
125. (New) The composition of claim ~~113~~, wherein the mammal is a rhesus monkey and the CMV genome is rhCMV.

~~15~~ 16 15 14
126. (New) The composition of claim ~~125~~, wherein at least a segment of the rhCMV genome encoding rhUS28.1, rhUS28.2, rhUS28.3, rhUS28.4, rhUS28.5, rhUL33, and/or rhUL78 has been inactivated.

~~16~~ 15
127. (New) The composition of claim ~~126~~, wherein the segment comprises the entire rhUS28.1, rhUS28.2, rhUS28.3, rhUS28.4, rhUS28.5, rhUL33, and/or rhUL78 encoding region and the encoding region has been deleted.

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~~17 18~~ ^{18 19} ~~128.~~ (New) The composition of claim ~~128~~, wherein at least a segment of the rhCMV genome encoding rhUS28.1 has been inactivated. ^{18 17} ~~15~~

~~18 19~~ ~~129.~~ (New) The composition of claim ~~128~~, wherein the segment comprises the entire rhUS28.1 encoding region and the encoding region has been deleted. ^{18 17} ~~15~~

~~19 20~~ ~~130.~~ (New) The composition of claim ~~128~~, wherein at least a segment of the rhCMV genome encoding rhUS28.2 has been inactivated. ^{19 20} ~~15~~

~~20 21~~ ~~131.~~ (New) The composition of claim ~~128~~, wherein the segment comprises the entire rhUS28.2 encoding region and the encoding region has been deleted. ^{20 21} ~~19~~

~~21 22~~ ~~132.~~ (New) The composition of claim ~~128~~, wherein at least a segment of the rhCMV genome encoding rhUS28.3 has been inactivated. ^{21 22} ~~15~~

~~22 23~~ ~~133.~~ (New) The composition of claim ~~128~~, wherein the segment comprises the entire rhUS28.3 coding region and the encoding region has been deleted. ^{22 23} ~~21~~

~~23 24~~ ~~134.~~ (New) The composition of claim ~~128~~, wherein at least a segment of the rhCMV genome encoding rhUS28.4 has been inactivated. ^{23 24} ~~15~~

~~24 25~~ ~~135.~~ (New) The composition of claim ~~128~~, wherein the segment comprises the entire rhUS28.4 encoding region and the encoding region has been deleted. ^{24 25} ~~23~~

~~25 26~~ ~~136.~~ (New) The composition of claim ~~128~~, wherein at least a segment of the rhCMV genome encoding rhUS28.5 has been inactivated. ^{25 26} ~~15~~

~~26 27~~ ~~137.~~ (New) The composition of claim ~~128~~, wherein the segment comprises the entire rhUS28.5 encoding region and the encoding region has been deleted. ^{26 27} ~~25~~

~~27 28~~ ~~138.~~ (New) The composition of claim ~~128~~, wherein at least a segment of the rhCMV genome encoding rhUL33 has been inactivated. ^{27 28} ~~15~~

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2829 139. (New) The composition of claim ~~138~~, wherein the segment comprises the entire rhUL33 encoding region and the encoding region has been deleted.

2130 140. (New) The composition of claim ~~138~~, wherein at least a portion of the rhCMV genome encoding rhUL78 has been inactivated.

3021 141. (New) The composition of claim ~~140~~, wherein the segment comprises the rhUL78 encoding region and the encoding region has been deleted.

3132 142. (New) The composition of claim ~~141~~, wherein the composition is formulated for administration to a human.

3233 143. (New) The composition of claim ~~141~~, wherein the composition satisfies GMP standards.